

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 1:25-cv-11048-ADB

SUPPLEMENTAL DECLARATION OF JOHN SHAW

I, John Shaw, declare as follows:

1. I am the Vice Provost for Research at Harvard University (“Harvard” or “the University”). I have held that position since January 1, 2022. I am also the Harry C. Dudley Professor in the Faculty of Arts & Sciences, and a Professor of Environmental Science and Engineering in the John A. Paulson School of Engineering & Applied Sciences. I previously submitted a declaration on June 2, 2025, in support of Harvard’s motion for summary judgment.

2. As Vice Provost for Research at Harvard, I have personal knowledge of the contents of this declaration and could testify thereto.

3. On May 12, 2025, the Department of Defense (“DoD”) sent Harvard a signed letter attaching a list of grants that “will be terminated.” ECF 70 at 41. That list included a grant with Harvard from the Defense Advanced Research Projects Agency (“DARPA”) to support the Assured Microbial Preservation in Harsh or Remote Areas (“AMPHORA”) program. The AMPHORA program works to increase awareness of emerging biological threats.

4. Despite the termination notice from the Government, DARPA personnel continued to engage with Harvard researchers, including requesting samples and a research update.

5. Given that Harvard continued work on the project at the direction of DARPA, it requested payment. On July 2, 2025, Harvard submitted a “Request for Advance or Reimbursement” (No. 152603-09) for approximately \$373,000 to DARPA in connection with the work performed by the Harvard Principal Investigator on the AMPHORA project from May 1 through May 31, 2025. Some of the work included in the invoice was performed after the grant was purportedly terminated on May 12, 2025.

6. On July 2, 2025, Harvard sent an email to the Director of DARPA’s Contracts Management Office, asking DARPA to confirm whether the AMPHORA grant is still active. Harvard has not received a response to that email.

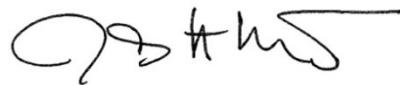
7. On July 8, 2025, Harvard received full payment from DARPA for the invoice of July 2, 2025, related to the AMPHORA project.

8. Based on my information and experience, these facts indicate that DARPA is continuing to treat the AMPHORA project as an active award that has not been terminated.

* * *

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Executed on July 11, 2025, in Cambridge, Massachusetts.



John H. Shaw
Harvard University
Vice Provost for Research
Harry C. Dudley Professor of Structural &
Economic Geology, FAS
Professor of Environmental Science and
Engineering, SEAS